

## COURT PROCEEDINGS

TUESDAY, JUNE 27, 1916

### Supreme Court, District of Columbia

#### Equity Division No. 2

##### Justice McCoy.

Kelley vs. Kelley; rule as to alimony pendente lite; counsel fees and costs returnable June 30; plaintiff's attorney, T. L. Jones.

Brandenburg vs. Dewey; order ratifying report of auditor; plaintiff's attorney, W. M. Williams.

Richmond Park Improvement Co. vs. Hight; order overruling motion to dismiss intervening petition which plaintiff duly excepts; plaintiff's attorneys, F. B. Rhodes, P. B. Cromellin and D. W. O'Donoghue; defendant's attorneys, D. T. Wright, T. M. Wampler and Ellis & Donaldson.

Pickford vs. Wetzel et al.; order confirming sale nisi; plaintiff's attorney, R. P. Shealey.

Franklin National Bank vs. Berry; order granting leave to file amended bill; plaintiff's attorneys, Hawken & Havell and John Ridout; defendant's attorney, L. G. Grossman.

Somerville vs. American Security & Trust Co.; order to withdraw amended bill; plaintiff's attorney, D. W. Baker; defendant's attorneys, Ellis & Donaldson.

Consaul vs. Holland et al.; order granting leave to discontinue cause upon payment of costs; plaintiff's attorney, Chas. F. Consaul.

No assignment for today.

#### Circuit Division No. 1

##### Justice Gould.

Holmes vs. Peters; leave granted plaintiff to deposit \$50 in lieu of bond for costs on appeal; defendant's attorney, W. C. Clephane.

Sures vs. Korman; judgment of the Municipal Court affirmed; plaintiff's attorney, M. W. King; defendant's attorney, R. B. Dickey.

Prober vs. Gerber; jury resulted; plaintiff's attorneys, W. J. Lambert, C. F. Diggs and R. H. Yeatman; defendant's attorneys, Douglas, Ruffin & O'Beary, J. S. Easby-Smith and R. B. Fleharty.

Assignments for today:

108—Expert vs. Franklin Insurance Co.; attorneys, Mohun-Darlington.

110—Expert vs. Potomac Insurance Co.; attorneys, Mohun-Darlington.

1083—Prince vs. Washington Terminal Co. et al.; attorneys, Sullivan-McKenney & Flannery; Hamilton & Hamilton.

207—Humphrey vs. District National Bank; attorneys, Berry & Minor-Lester, Barnard, Johnson.

214—Totten vs. District of Columbia; attorneys, Baker, Leahy-Syme, Smith.

3420—Scheuch vs. District of Columbia; attorneys, Newmyer, Pelzman-Whiteford.

377—Buscher vs. District of Columbia et al.; attorneys, Davis, Gardiner-Syme, Williams, Parker.

131 (appeal)—Jewett vs. Union Savings Bank; attorneys, Ridout-Lambert.

33—Moran vs. Central Traction Co.; attorneys, Bailey-Dunlop, Hogan.

111—Mealey, administratrix, vs. Baltimore and Ohio R. Co. et al.; attorneys, Leckie, Cox & Kratz-Hamilton & Hamilton.

#### Circuit Division No. 2

##### Justice Stafford.

Billings-Chapin Company vs. Robert Bowdler Company; time to submit bill of exceptions extended to August 1 and to file transcript to September 1; plaintiff's attorney, H. W. Wheatley; defendant's attorneys, C. H. Merrill and M. N. Richardson.

Trimble vs. District National Bank; time to submit bill of exceptions and to file transcript extended to September 1; plaintiff's attorneys, C. W. Darr, J. I. Peyer, and F. J. Hogan; defendant's attorneys, W. E. Lester and Barnard & Johnson.

Fannin & J. W. B. Benham vs. Washington Railway and Electric Company; verdict for defendant; plaintiff's attorneys, A. S. Worthington and W. M. Lewis; defendant's attorney, George P. Hoover.

No assignment for today.

#### Criminal Division, No. 1

##### Justice Siddons.

United States vs. John J. Kilby; non-support, bench warrant returned cepi; defendant committed.

United States vs. Raymond P. Jones; non-support, warrant of removal filed; defendant committed.

United States vs. Irene Milstead; murder first degree; on trial; attorneys, M. E. O'Brien and John H. Zabel.

United States vs. Donald H. Moore; non-support; bench warrant returned cepi; defendant committed.

United States vs. Herman Owens; non-support; bench warrant issued.

United States vs. William Waldron; non-support; bench warrant issued.

United States vs. Henry J. Kober; non-support; bench warrant issued.

United States vs. John E. Brunt; non-support; bench warrant issued.

United States vs. Stuart H. D. Freed; non-support; bench warrant issued.

United States vs. Edgar L. McDonald; non-support; bench warrant issued.

#### Criminal Division, No. 2

##### Chief Justice Covington.

United States vs. Leo G. Woodward; violation section 47 Penal Code United States; plea not guilty; recognizance \$500 taken with P. D. Elgin surety; attorney, R. B. Fleharty.

United States vs. John B. Marshall; violation section 651 District of Columbia code; nolle prosequi entered.

United States vs. Harry Miles; robbery; L. A. Grossman assigned to defend.

United States vs. Thomas Wendell; assault dangerous weapon; L. A. Grossman assigned to defend.

United States vs. Ambrose Mason; housebreaking and larceny; plea not guilty; remanded; attorneys, T. L. Jones and R. A. Hughes.

United States vs. John Dabney; receiving stolen property; plea not guilty; committed; attorneys, Joseph Neal.

United States vs. Gertrude Taylor; robbery; plea not guilty; committed; attorney, Joseph Neal.

Assignment for today:

United States vs. Mary Queen.

United States vs. Elijah Johnson.

United States vs. Lonnie Perry.

#### District Division.

##### Chief Justice Covington.

In re Small Parks; jury directed to return verdict in open court on June 29.

In re Giddings School sewer; jury directed to return verdict in open court on June 29.

In re sewer in line of Nineteenth street northeast; jury directed to return verdict in open court on June 29.

In re sewer in squares 3004 and 3007; jury directed to return verdict in open court on June 29.

In re Milwaukee place sewer; jury directed to return verdict in open court on June 29.

#### Bankruptcy Division.

##### Justice McCoy.

In re Nicholas Mazzanotte; discharge ordered.

#### Probate Division.

##### Justice McCoy.

Estate Mary F. Weaver; order for sale of stock; attorneys, Gordon & Gordon.

In re Daniel Trimmer; order to reimburse guardian; attorney, P. L. Wright.

In re Edna D. Carman; order for allowance.

Estate Stephen H. Mills; order for sale of property and stock; attorney, F. A. Fenning.

Estate Oscar D. Hyler; order admitting

will to probate and granting letters testamentary to Fannie T. Hyler; bond, \$500; attorney, W. J. Dow.

Estate Leafy Croson; order to invest in note secured by first deed of trust; attorney, W. G. Gardiner.

Estate George M. Grimes; order appointing Robert A. Grimes administrator; bond, \$100; attorney, W. G. Gardiner.

Estate Ohanna Grosjean; order admitting will to probate and granting letters testamentary to Sophie V. Balser; bond, \$300; attorney, J. A. Maedel.

Estate Irene A. Kirby; order for commission to issue; attorney, T. W. O'Brien.

Estate Mary Dick; order admitting will to probate and granting letters testamentary to George F. Collins; bond, \$300; attorney, G. F. Collins.

Estate Mary P. Sullivan; order for sale of personal property; attorney, D. W. Baker.

Estate John H. Cooney; order appointing Mary J. Healey administratrix; bond, \$200; attorney, George C. Gertman.

Estate Sara V. Dugan; will dated December 6, 1912, filed.

Estate Marion L. Thompson; order appointing John P. H. Willmuth administrator; bond, \$800; attorney, Robert T. Lang.

Estate Samuel Bush; will dated February 9, 1914, filed.

Estate Andrew Mills; petition for appointment of administrator filed; attorney, M. J. McNamara.

Estate Mary V. Dickerson; petition for appointment of administrator filed; attorney, Thomas Walker.

Estate Catherine Weems; petition for appointment of administrator filed; attorneys, C. S. Hill and Richardson & Shreve.

Estate Israel W. Little; caveat to will of Roger Little; order appointing Thomas W. Bramhall guardian; attorney, T. W. Bramhall.

Estate Ruth S. Marsh; petition for probate of will filed; attorney, B. E. Hinton.

#### Law Office.

5976—Abraham Sures (appellee) vs. Maurice B. Korman; appeal; plaintiff's attorney, Milton W. King.

5977—Frederick A. Fleming, trustee, vs. A. C. Mayer; certiorari; defendant's attorneys, C. W. Darr and J. I. Peyer.

5978—Robert J. Laleger vs. G. R. Perry (appellee); appeal; defendant's attorneys, Leckie, Cox & Kratz-Hamilton & Hamilton.

5979—Lilly Fowler vs. Washington, Baltimore and Annapolis Electric Railroad Co. and Washington Railway and Electric Co.; damages \$10,000; plaintiff's attorneys, W. J. Lambert and R. H. Yeatman.

5980—Samuel Singer, by next friend, vs. Union Transfer Co.; damages \$10,000; plaintiff's attorney, Mark Stearnman.

5981—Miller Brothers Auto and Supply House vs. Angelo Chicco and Gaetano Gerace; note \$500; plaintiff's attorney, Edwin C. Dutton.

5982—Pearless Packing and Provision Co. vs. Barney M. Burroughs; account \$482.32; plaintiff's attorneys, L. P. Lovins and L. L. Hamner.

#### DEEDS OF TRUST.

Ingleide, lot 6, block 3—Frank P. Howard et al. Florence M. to Herbert T. Shannon and John J. Miller; to Isaac B. Hurry \$1,790; monthly payments, 6 per cent.

Square 29, parts original lots 14 and 15—Henry Wendland et al. Sidney S. to John D. Coe and William J. Flather, Jr. and Randall H. Hagner; to secure Edgar M. Mayne \$15,000; 5 years, 5 per cent, semi-annually.

Square 65, lot 19—Elbert Charley to Robert E. Snyder and George M. Myers; to secure Thornton Carst \$1,500; 3 years, 6 per cent, semi-annually.

Estate of James H. Fowler; part devised to Mary M. Hinkel to Henry H. Bergmann and George M. Emmertch; to secure Metropolitan Building Association, No. 8, \$300.

Square 762, east part original lot 13—Lawrence A. McCormick, Anna P. McCormick and Mary E. McCormick to Henry H. Bergmann and George M. Emmertch; to secure Metropolitan Building Association, No. 8, \$3,000.

North Columbia Heights, lot 38, block 3—William S. Phillips et al. Maude H. to R. Francis Saul and J. W. Wright Jacobs; to secure Thomas B. Allen \$2,000; 3 years, 6 per cent, semi-annually.

Square 65, lot 19—Elbert Charley to Robert E. Snyder and George M. Myers; to secure Thornton Carst \$1,500; 3 years, 6 per cent, semi-annually.

Square 605, lot 53—Ogden T. Davis et al. Helen P. to Henry H. Bergmann and Charles Schaefer; to secure Northern Liberty German-American Building Association, No. 6, \$1,000.

Square 762, undivided 1/2 interest in sub-lot 20—Catherine T. Donovan to Harold H. Levi and William T. Littleton; to secure Hecht & Co. \$23.58; discount, 4 per cent.

Square 285, lot 14—Leroy C. Floyd et al. Carrie D. to William H. Saunders and Claud Livingston; to secure Charles E. West \$3,000; 3 years, 6 1/2 per cent, semi-annually.

Widow's Mita and Womring Terrace, lot 27—Bates Warren et al. Lisette B. to Continental Trust Co. to secure National Savings & Trust Co. \$3,000; 4 per cent, semi-annually.

Square 286, lot 27—George E. Buffum et al. Don R. to Arthur Carr and Marvin A. Cusick; to secure Perpetual Building Association \$1,500.

Woodley Park, lot 68, block 30—William O. Emery et al. Augustus to American Security & Trust Co. to secure National Savings & Trust Co. \$3,000; 3 years, 5 per cent, semi-annually.

Square 288, lot 19—O. Elton James et al. Nellie R. to Henry H. Bergmann and Charles Schaefer; to secure A. Elizabeth Oliphant \$3,000; 3 years, 6 per cent, semi-annually.

Square 762, lot 19—Jennie L. Mohler to Herbert T. Shannon and Morton J. Leuch; to secure P. Eugene Drury \$1,500; 3 years, 6 per cent, semi-annually.

Square 47, part original lot 5—George R. Nowland et al. Mary A. joint tenants, to Thomas Brown and William H. Brown; to secure Mary A. Brown \$1,000; 4 months, 6 per cent.

Square 103, lot 10—Norman H. Beaver et al. Nellie M. to R. Francis Saul and G. Percy Mee; to secure Harry A. Kite \$1,500; monthly payments, 6 per cent.

Ingleide, lot 32, block 6—Hugh C. Russell et al. Hilda M. to Harry K. Buse and H. Glenn Fitch; to secure Ruth L. Newman \$1,600; monthly payments, 6 per cent.

Square 122, lot 56—Mary R. Smallwood to Arthur Carr and Marvin A. Cusick; to secure Perpetual Building Association \$1,000.

Square 284, part lot 1 (to Columbia Heights, part lot 1, block 37)—Samuel Lewis and L. Kemp Durval; to secure Susan Sandler \$5,000; 3 years, 6 1/2 per cent, semi-annually.

Square 169, lot 4—Mamie Stern to William T. P. McGowan \$200; 3 years, 6 per cent, semi-annually.

Square 179, lot 4—Mamie Stern to Julius I. Perser and Lawrence Kneulberger; to secure Samuel M. Singer \$75.83; 4 to 30 months, 6 per cent.

Mount Pleasant and Columbia Heights, lot 28, block 30—James L. Mohler to B. Francis Saul and J. W. Wright Jacobs; to secure Thomas B. Allen \$2,750; 3 years, 6 per cent, semi-annually. Same to Leroy Ogden, Jr. and William M. Hoffman; to secure Allan E. Walker \$750; 3 years, 6 per cent, semi-annually.

Square 83, lot 4—Jennie L. Mohler to Herbert T. Shannon and Morton J. Leuch; to secure P. Eugene Drury \$300; 3 years, 6 per cent, semi-annually.

Square 39, lots 42 to 45—Harry A. Kite et al. to B. Francis Saul and J. W. Wright Jacobs; to secure Thomas B. Allen \$4,800; 3 years, 6 per cent, semi-annually (four tracts, one of \$3.00 on each lot).

Square 61, lot 14; square 20, lot 8; square 30, east half original lot 25; square 209, lot 3, parts lot 4, 9 and lot 60; square 207, lot 2; square 205, lot 14; square 228, part original lot 1; square 180; lots 236 to 322, Whittier Close, lot 34, block 3; square 5, original lot 4—May Oronoy Ellis and Co. of Philadelphia, to secure a bond issue of \$30,000; June 1, 1922, 6 per cent, semi-annually.

#### REAL ESTATE TRANSFERS.

1917, block 12, northeast corner, part lot 8—Victoria Archer to Hattie B. Lind, \$20.

Second street, between I and K streets southwest, square 29, lot 38—Mary E. Dugan to Bernard Leonard, \$10.

Sixteenth street, between C and D streets south-

east, square 1074, lot 6—Jennie Frazer to George N. and Margaret Schmitt, joint tenants, \$10.

19 Fifth street northeast, square 580, part original lot 4—Laura J. Miller to Isaac B. Hurry, \$30.

Ingleide, lot 65, block 12—Herbert T. Shannon and Morton J. Leuch, joint tenants, to Frank P. Howard, \$30.

62 Ninth street northeast, square 535, lot 16—George Y. Worthington and George Y. Worthington, Jr., to Annette J. Cooper, \$30.

19 Fifth street northeast, square 580, part original lot 4—Isaac B. Hurry et al. Nade H. to Ada M. Tucker, \$30.

North Columbia Heights, lot 38, block 3—Wharton E. Lester and Michael J. Colbert, trustees, to William S. Phillips, \$2,500.

Whittier Close, lot 33, block 3—William S. Phillips et al. Maude H. to John Urelio, \$30.

Whittier Close, lot 33, block 3—William S. Phillips et al. Maude H. to Michael Urelio, \$30.

Thirtieth and U streets northwest, square 1297, parts described; square south of 1296, part described—John B. Lamer, surviving trustee, to Washington Loan and Trust Company, \$200.

Square 265, lot 58, Maple Grove Farm—Middaugh & Shannon, Inc., to Leroy C. Floyd, \$30.

Square 209, lot 19, Potomac, block 20—Louis A. Potter, Ruby E. to Eleanor E. Ogden, \$30.

223 Thirtieth street northwest, square 271, lot 38—Edna M. Stubbfield et al. Emily M. to John L. Thorne, \$10.

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Lillie B. Jennings, 24, of Culpeper, Va. Rev. C. C. McLean.

Leo B. Richardson, 23, of this city, and Elsie J. Cornell, 23, of Whiteville, N. Y. Rev. L. M. Chambers.

George T. Costello, 23, of this city, and Oleta A. Wood, 23, of Whiteville, N. Y. Rev. L. M. Chambers.

COLORED.

Walter E. Davis, 25, and Bertha Mason, 25, Rev. S. Miller.

Morris W. Thomas, 21, and Bertha E. Hyson, 18, Rev. S. Miller.

John S. Shaw, 21, and Helen V. Curtis, 18, Rev. E. Wiseman.

Marshall Burnside, 25, and Ular Jones, 19, Rev. W. Westray.

Harry Davis, 21, and Annabell Bradley, 16, Rev. William A. Jones.